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SENATE

REPORT
No. 1908

FONG BAT WOON AND FONG GET NAN

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1838]

The Committee on the Judiciary, to which was referred the bill (H. R. 1838) for the relief of Fong Bat Woon and Fong Get Nan, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor Chinese children of a citizen of the United States the status of nonquota immigrants which is the status normally enjoyed by the alien minor children of citizens of the United States.

STATEMENT OF FACTS

The beneficiaries of the bill are the minor children of Frank Y. Fong, a citizen of the United States. The mother of the children is eligible to enter the United States as a nonquota immigrant inasmuch as she is the wife of a United States citizen.

Congressman George P. Miller, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following memorandum in connection with the bill:

MEMORANDUM IN SUPPORT OF A BILL FOR THE RELIEF OF FONG BAT WOON AND FONG GET NAN

The following is a statement of the evidence supported by papers and statements pertaining to the parties involved in a bill, H. R. 1838, for the relief of Fong Bat Woon and Fong Get Nan.

Mr. Frank Y. Fong, father of Fong Bat Woon and Fong Get Nan, was naturalized on January 23, 1950. Citizenship Certification No. 6936228, Petition 93020, was issued by the United States District Court at San Francisco, under the name of Frank Yuey Fong of 2060 Lincoln Avenue, Alameda, Calif.

Mr. Fong's entire family, Fong Toy Yoke Moy, his wife, and his children, Fong Bat Woon and Fong Get Nan, is presently in China. Mr. Fong filed a visa petition for a nonquota status for his wife on or about January 19, 1951, with the Immigration and Naturalization office in San Francisco.

Mr. Fong is now desirous of gaining admission for his two children, for whom I have introduced H. R. 1838 in the House of Representatives.

It appears from the evidence attached that Mr. Fong will be financially able to support his wife and children in this country.

Congressman GEORGE P. MILLER.

The documents referred to in the above-quoted statement read as follows:

NOVEMBER 16, 1950.

Hon. GEORGE P. MILLER,

House of Representatives.

MY DEAR MR. MILLER: I refer to the letter of November 1, 1950, which you addressed to Mrs. Shipley, transmitting the enclosed communication from the Honorable Randal F. Dickey, Alameda, Calif., regarding the desire of Mr. Frank Y. Fong (Fony Toi Yuey) to bring his wife, Fong Toy Yoke Moy, and children, Fong Bat Woon and Fong Get Nan, to the country. Reference is also made to my interim acknowledgment of November 10, 1950.

The Chinese wife of an American citizen is entitled to nonquota status in the issuance of an immigration visa, contingent upon the approval of a petition by the Immigration and Naturalization Service of the Department of Justice in her behalf. If Mr. Fong has not already filed a petition with a view to establishing such status for his wife, he should be advised to obtain the forms prescribed for that purpose from the office of the district director or the nearest suboffice of the Immigration and Naturalization Service. The law makes no provision for non-quota status in the cases of the Chinese children of a citizen of the United States. Consequently, Fong Bat Woon and Fong Get Nan must each be in possession of an immigration visa chargeable to the Chinese racial quota, before they may be admitted into the United States for permanent residence. Unfortunately that quota (which is limited to 105 annually) has been oversubscribed for several years and intending immigrants who currently register thereunder must anticipate a very considerable period of waiting before quota numbers will become available for their use.

I may add that the consulate General at Taipei, Taiwan (Formosa), is the only American consular office now functioning in China. Visa services are also available at the consulate general at Hong Kong.

Sincerely yours,

H. G. L'HEUREUX,
Chief, Visa Division.

ALAMEDA, CALIF., December 15, 1950.

Hon. GEORGE P. MILLER,

Congress of the United States,

House of Representatives, Washington, D. C.

DEAR GEORGE: This will acknowledge receipt of your communication regarding Mr. Frank Y. Fong, together with the enclosed letter from Mr. H. J. L'Heureux. It looks as though we have tackled a matter which is going to be rather difficult.

I appreciate your offer to consider introducing a private bill in the Eighty-second Congress to waive the quota requirements for these two children.

I am told by our constituent, Mr. Fong, that he was advised by the Immigration and Naturalization office in San Francisco that his wife and oldest child would be admitted, by reason of the fact that he had applied prior to the change in the immigration laws.

I am enclosing a copy of a letter from the vice consul in Hong Kong, indicating that the travel document has been ready for his wife and daughter since June 4, 1941. At that time, he was not a citizen and, of course, the war intervened. Only recently he made application for the renewal of this permission and he was told that he could bring his wife and daughter, but could not bring the son who was born recently.

I do not know whether or not this would change the opinion of Mr. L'Heureux. However, in the interim, I shall secure the necessary information for the preparation of a private bill.

With kindest personal regards, I remain,

Sincerely yours,

RANDAL F. DICKEY.

APRIL 14, 1951.

Hon. GEORGE P. MILLER,
*Congress of the United States,
House of Representatives, Washington, D. C.*

DEAR GEORGE: On receiving your letter of May 7, I immediately contacted Mr. Frank Fong to obtain the additional information which you require.

I believe that Mr. Fong's financial circumstances are best explained in a letter which the Bank of America, Alameda, addressed to the United States consul at Hong Kong under date of April 13, 1951. It can be improved on only by the attached itemization of the insurance policies mentioned in the letter.

Mr. Fong advises me that he filed a visa petition for a nonquota status for his wife, on or about January 19, 1951, with the Immigration and Naturalization office in San Francisco.

With kindest personal regards,

Sincerely yours,

RANDAL F. DICKEY.

BANK OF AMERICA,
NATIONAL TRUST AND SAVINGS ASSOCIATION,
ALAMEDA BRANCH,
Alameda, Calif., April 13, 1951.

UNITED STATES CONSUL,
Hong Kong, China.

GENTLEMEN: We are glad to write you about Mr. Frank Yuey Fong, who we understand is making arrangements to bring his wife from China to the United States.

Mr. Fong has been a customer of ours for the past 5 or 6 years, and our dealings with him have been very satisfactory. He maintains a personal savings account with our branch in which there is on deposit at the present time \$5,512.

In addition to Mr. Fong's savings account, he has considerable life insurance with a cash value of several thousand dollars, and is the owner of a one-third interest in the Lincoln Market.

We do not have in our files a financial statement of the Lincoln Market, but in our opinion it would sell for approximately \$30,000, and Mr. Fong's interest would be worth about \$10,000.

In our opinion, Mr. Fong is a good citizen and a man of integrity.

Yours very truly,

T. A. GREIG, *Manager.*

LIFE INSURANCE POLICIES, FRANK YUEY FONG, MAY 14, 1951

- (1) Policy No. 122270. Issued on August 10, 1934 (at 25 years of age), Volunteer State Life Insurance Co., for \$2,000.
- (2) Policy No. 438268. Issued on March 15, 1943 (at 33 years of age), West Coast Life Insurance Co., San Francisco, for \$7,500.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1838) should be enacted.

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